spaces requiring an attendant. See Attached Brief Petitioner 5. The gatehouse situated at the parking lot entrance \* \* \* \* \* \* \* \* \* \* \* is used by the parking attendant to monitor the traffic in BRIEF TO ACCOMPANY PETITION FOR VARIANCE and out of the lot and as shelter from the elements during bad Property is to be posted and advertised as prescribed by Zoning Regulations. weather. The central location of the attendant in the gate-I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. For the reasons stated below, the Petitioner should be house also enhances the security of the lot. granted a variance from Baltimore County Zoning Regulation 222.1 6. The gatehouse is a 4 x 6 wood frame structure built to permit a front set ack of 6 feet instead of the required 10 I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property on a concrete slab and is served by utility lines. feet from the property line and 31 feet from the center line which is the subject of this Petition. 7. Relocation of the gatehouse by nine feet to the rear of Walker Avenue instead of the required 40 feet. The setback Contract Purchaser: Legal Owner(s): of the Property to comply with the setback regulations would Michael Lasky variance will permit an existing structure to be used as a (Type or Print Name) (Type or Print Name) involve considerable expense for demolition and rebuilding of gatehouse at the entrance to the parking lot of the subject Michael rack the structure and relocation of utility lines, with all the property ("Property"). attendant architectural, permit and administrative expenses. (Type or Print Name) Such a relocation would also obstruct use of at least four City and State conventional parking spaces and six overflow parking spaces. 1. The Property is a 0.49 acre parcel improved by a Attorney for Petitioner: three floor office building, 55 space macadam parking lot and Jeffrey P. McEvoy 23 Walker Avenue 653-3636 (Type or Print Name) gatehouse at the entrance to the parking lot. (See Site Plan Esper Me Cery Baltimore, Maryland 1. If the Petitioner is required to demolish or relocate submitted with this Petition.) Michael Laskv ("Petitioner"), Signature / Melnicove, Kaufman, Weiner & Smouse City and State the gatehouse, a considerable hardship and practical difficulty 36 South Charles St - Ste 600 the owner of the Property, acquired the Property in June, 1980. Name, address and phone number of legal owner, contract purchaser or representative to be contacted will be imposed. 2. Zoning Regulations require 39 parking spaces to be Baltimore, MD 21201 2. Petitioner will be forced to violate agreements with provided on the Property Site. The Property currently has 55 Melhicove, Kaufman, Weiner & Smouse tenants of the Property which require the Petitioner to make 36 S. Charles St. - Ste. 600 Attorney's Telephone No.: (301) 332-3543 parking spaces, 12 of which are "overflow spaces" which require Address
Baltimore, MD 21201 Phone No. (301)332-8543 parking available to employees, customers and visitors. vehicles to be parked two deep at the sides of the building. ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_27th\_ day 3. Petitioner will incur significant expense in deof \_\_\_\_\_\_, 1, 84, that the subject matter of this petition be advertised, as 3. The tenants of the building, tenant employees, cusrequired by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore molishing or relocating gatehouse. tomers and visitors to the building use the lot in lieu of 4. Street parking in central Pikesville is now very County, on the \_\_\_\_\_5th \_\_\_\_ day of \_\_\_\_March \_\_\_\_, 19.84\_, at 10:45 o'clock local street parking and regularly fill the 55 spaces to capascarce. If Petitioner reduces existing off street parking at city. Consequently, Petitioner has found it necessary to em- $-A_{-M}$ the Property Site, parking will overflow to Walker Avenue and ploy an attendant to move vehicles in and out of the overflow other nearby side streets. The parking problems of central spaces. Pikesville will be increased, with a detrimental effect on both building tenants and the general public. BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOVSON, MARYLAND 21204 BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
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494-3550 BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE BALTIMORE COUNTY HARRY J. PISTEL, P. E. DIRECTOR February 27, 1984 STEPHEN E. COLLINS DIRECTOR COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. February 1, 1984 Jeffrey P. McEvoy, Esquire 36 South Charles Street ZONING PLANS Mr. Arnold Jablon Baltimore, Maryland 21201 Nicholas B. Commodari Mr. Arnold Jablon Zoning Commissioner Zoning Commissioner County Office Building Chairman RE: Item No. 143 - Case No. 84-221-A County Office Building Towson, Maryland 21204 Petitioner - Michael Lasky Towson, Maryland 21204 Variance Petition MEMBERS Item No. 143, 144, 145, 146, 147, and 149 Meeting of December 20, 1983 ADVISORY COMMITTEE Re: Item #143 (1983-1984) Bureau of Dear Mr. McEvoy: Engineering Property Owner: Michael Lasky Property Owner: S/ES Walker Avenue 659' N/E Reisterstown Road Department of Location: The Zoning Plans Advisory Committee has reviewed the Traffic Engineering Acres: 0.49 District: 3rd Existing Zoning: plans submitted with the above referenced petition. The plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning. Proposed Zoning: State Roads Commissio Dear Mr. Jablon: Bureau of Fire Prevention The following comments are furnished in regard to the plat submitted to this Health Department office for review by the Zoning Adv.sory Committee in connection with the subject Project Planning item. Acres: Building Department District: Board of Education In view of your proposal to legalize the front setback of the existing structure, located at the entrance to the Zoning Administration Baltimore County highway and utility improvements exist in regard to this property and are not directly involved. subject property, this hearing is required. Dear Mr. Jablon: Development At the time of this writing, all comments that had been submitted by various members of the Committee had nothing informative to offer about your client's proposal. For this reason, they were not forwarded to you, but have been placed in the hearing file. In particular, the Department of Traffic Engineering had no comment, but Mr. Ogle of the Current Planning Office verbally stated that he would rather see the structure moved either east or west out of This office has no further comment in regard to the plan submitted for comments for item numbers 43, 144, 145, 146, 147, and 149. Zoning Advisory Committee review in connection with this Item 143 (1983-1984). Bureau of Public Services rather see the structure moved either east or west out of the entrance. If you have any questions concerning this RAM: EAM: FWR: SS comment, you may contact Mr. Ogle at 494-3335. MSF/ccm PETITION AND SITE PLAN P-SE Key Sheet This hearing was accepted on the date of the enclosed certificate and a hearing date scheduled accordingly. 29 NW 20 & 21 Pos. Sheets NW 8 E & F Topo 78 Tax Map Nechales & Commaden bie

NICHOLAS B. COMMODARI, Chairman

Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: D.S.Thaler & Associates, Inc.

Baltimore, Maryland 21208

11 Warren Road

\* BEFORE THE

\* OF

\* ZONING COMMISSIONER

\* BALTIMORE COUNTY

4. As an inducement to lease space in the office building,

the Petitioner has represented to tenants that off street

parking would be available to tenants, including the overflow

IN THE MATTER OF

MICHAEL LASKY,

23 - 25 WALKER AVENUE

PETITION FOR ZONING VARIANCE 84-22/-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

EVALUATION COMMENTS

Variance from Section 232.1 (303.2) - to permit a front yard setback of 6 ft.

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

instead of the required average setback of 44 ft.

WHEREFORE, your Petitioner asks the Zoning Commissioner

Janes Ul Bury

MELNICOVE, KAUFMAN, WEINER

Baltimore, Maryland 21201

36 South Charles Street

Attorney for Petitioner

& SMOUSE, P.A.

(301) 332-8543

February 9, 1984

Traffic Engineering Assoc. II

Suite 600

of Baltimore County to allow the gatehouse to remain at its

present position as shown on the Site Plan.

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		Item # 1	47 - Alvin W	agenheim, et al		
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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

The Baltimore County Department of Health has reviewed

the following zoning items and does not anticipate any health

hazards at this time regarding these items.

Date February 13, 1984

Arnold Jablon, Zoning Commissioner

Meeting - December 20, 1983

TO Office of Planning and Zoning

FROM Ian J. Forrest

SURJECT Zoning Variance Items

B. L.

Michal Lasky, Petitioner

Case No. 84-221-A Exhibit No. 2

173,360

(学学)	Baltimore coup fire department towson, maryla 494-4500		
PAUL H CHIEF	REINCKE		February 14, 1984
Coning Office Baltim	lliam Hammond Commissioner of Planning an ore County Off. Maryland 2120	ice Building	
Attent	ion: Nick Com Zoning Pi	modari, Chairman lans Advisory Comm	mitte <del>e</del>
RE: P	roperty Owner:	Michael Lasky	
L	ocation: SE/S	Walker Avenue	65% I/E Reisterstown Road
I	tem No.: 143		Zoning Agenda: Meeting of December 20, 19
Gentle	men:		
Pursua Bureau to be o	it to your requ and the commen corrected or in	corporated into t	red property has been surveyed by this with an "X" are applicable and required the final plans for the property.
Pursua Bureau to be o	at to your requested the comment corrected or in Fire hydrant located at it accordance w	corporated into t s for the referen ntervals or	uth an "X" are applicable and send and
Pursuar Bureau to be (	at to your requi and the comment corrected or in Fire hydrant located at it accordance w Department o	corporated into to corporated into to corporated into the seferent of the country	the an "X" are applicable and required the final plans for the property.  ced property are required and shall be feet along an approved road in
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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

This office is opposed to the granting of the subject request.

The shelter was constructed by permit for a temporary structure.

In its current location, it is an obstruction to the flow of traffic

to and from the site. Further, there is sufficient area that the

Date\_February 16, 1984

Office of Planning and Zoning

Arnold Jablon TO Zoning Commissioner

NEG/JGH/sf

Norman E. Gerber, Director

shelter could be relocated on site.

FROM Office of Planning and Zoning

SUBJECT Michael Lasky - 84-221-A

TO Nick Commoderi, Zoning FROM C. E. Burnham, Chief, Plana Review CBB SUBJECT Zoning Advisory Committee Meeting
December 20, 1983 Item(#143 No Comment Item #144 See Comments Item #145 See Comments Item #146 See Comments Item #147 See Comments Item #148 See Comments Item #149 See Comments Item #150 See Comments

MELNICOVE, KAUFMAN, WEINER & SMOUSE, HARRY B TE DAVID R SC GREGG L B JACK L B C HARRY J.M M. MELINDA A DAVID BC KAYE A ALL DONNA C. S ROBERT E. JEFFREY P OF COUNSEL KENNETH H STEPHEN B. CAPL'S
KATHLEEN M. BWEENEY
JAMES D. NE'LSON
PHYLLIS W. BROWN
STANLEY A. SNYOER
BARRY L. STEELMAN
ROBERT C. FOWLER
JOHN M. GLYNN
IPA L. ORING
CANIEL R. ANDERSON
KL NNETH D. PACK BERNARD S. MELNICOVE (-911-197)

March 5, 1984

Michal Lasky, Petitioner

Case No. 84-221-A

Exhibit No. 5

Dr. Elmer Hoffman Ms. Sherry Hoffman c/o Robert A. Hoffman, Esquire Cook, Howard, Downs & Tracy 210 Allegheny Avenue Towson, Maryland 21204

Dear Dr. and Mrs. Hoffman:

I am writing to you in response to an inquiry from your attorney, Robert Hoffman. I am counsel to Michael Lasky, the owner of an office building at 2325 Walker Avenue, Pikesville, Maryland. The property on which that building is located is the subject of 3 zoning petition filed by Mr. Lasky, asking for a front setback variance.

Mr. Hoffman inquired of me about the purpose of the setback request of my client.

The setback request by Mr. Lasky for his Walker Avenue location is for a single specific purpose. That purpose is to allow a gatehouse to remain in its present location on the perimeter of the property at the entrance to the parking lot on the property. The variance request is limited to that purpose and Mr. Lasky will so represent at the public hearing.

Should you have any further questions, please do not hesitate to contact me.

Sincerely yours, J1/2

JEFFREY P. MCEVOY

JPM/1h

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date\_\_January 17. 1981

D. S. THALER & ASSOCIATES, INC.
11 WARREN ROAD \* BALTIMORE, MARYLAND 21208 \* (301) 484-4100

TE: TETHT N F R VARIANCE : MINTER THE DESIGN OF CONCERNANCE

Walker Ave. 1, 3rd Figtrict : OF EALTHORY

::::::

FNTRY OF AFFDARANCE

above-captioned matter. Notices should be sent of any hearing sates

or other proceedings in this matter and of the passage of any preliminary

Please enter the appearance of the Reople's Counsel in the

There in Printer

Marke Cali Printingen

People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House

Towson, ND 21264

Phyllis Cole Friedman

I HEREBY CERTIFY that on this 16th day of February, 1984, a copy

of the foregoing Entry of Appearance was mailed to Jeffrey F. McEvoy, Esquire,

Melnicove, Kaufman, Weiner & Empuse, 36 S. Charles St., Baltimore, MD 21201-

MICHAEL LACKY, Petitioner : Case No. 84-101-A

DE/J Walker Ave., 659" Na or

Reisterstumn Rd. (23-25)

or final Order.

3060, Attorney for Petitioner.

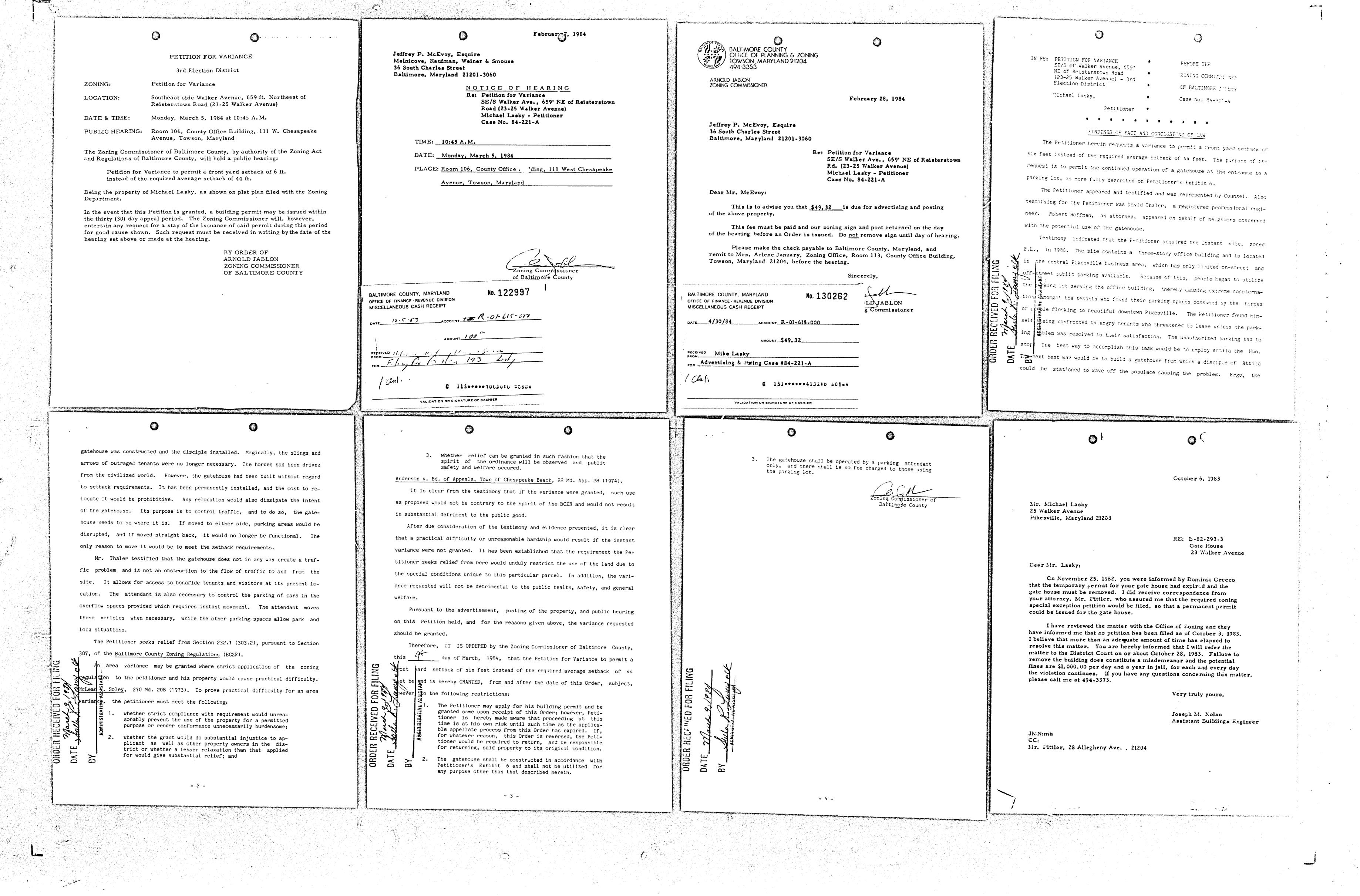
DESCRIPTION TO ACCOMPANY PETITION FOR ZONING VARIANCE "WARREN PROFESSIONAL BUILDING" 23-25 WALKER AVENUE.

Beginning for the same on the southeast light-of-way of Walker Avenue as widened and described in a deed dated October 21, 1970 from Harlan Dopkin et.ux., et.al., unto Baltimore County, Maryland, and recorded among the land records of Baltimore County in Liber O.T.G. 5144 folio 694, said beginning point being and said point being further located northeasterly 659 feet more thence and binding on said right-of-way of Walker Avenue North East 204 feet, thence South 63°48'30" West 104.25; thence North 27°32'30" West 204 feet more or less to the place of beginning.

Containing 0.49 of an acre of land more or less.



CIVIL ENGINEERS • SITE PLANNERS • SURVEYORS



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TO HAPITE I LEADE TOWSON, MARYLAND 21204 25 WALKER AVENUE PIKESVILLE MD. 1 MALANG ADDRESS 104 BF # 2 41 BE 25 WALKER AVENUE, PIKESVILLE, MD. 21208 TT BALTIMORE COUNTY BURDING CONTRACTOR PYRAMID CONTRACTORS, INC. OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 494-3353 LAW OFFICES OF ANCHITECT MELNICOVE, KAUFMAN, WEINER & SMOUSE, P. A. 36 SOUTH CHARLES STREES SUR DING CONTRACTOR PYRAMID CONTRACTORS, INC. SIXTH FLOOR APCHIECT OR ARNOLD JABLON TRANSFER DESCRIPTION BALTIMORE, MARYLAND 21201-3040 S.E.S. WALKER AVE. 647' E. REISTERSTOWN ROAD ZONING COMMISSIONER TELEPHONE 304 352-6500 A. TYPE OF IMPROVEMENT December 12, 1983 C. TYPE OF USE \*ELECOPIER 301 332-8594 NEW BULLING CONSTRUCTION 7ELEX 2 0-234-24 4 S.E.S. WALKER AVE. 647' E. REISTERSTOWN ROAD DOE FAMILY MANAGEMENT RECREATEDN PLACE OF ASSESSED TWO FAM. ARITER'S DIRECT DIAL NO. IN CHUMON OTHER RELIGIOUS BURGING A. TYPE OF IMPROVEMENT 3 🔲 ALTERATION THREE AND FOUR FAMILE FENCE GENOTH HEIGHT 332-8543 C. TYPE OF USE 4 TREPAR FINE OR MORE FAMILY LENTER NO LINES. NEW BULDING CONSTRUCTION BERNARD S. MELNICOVE SHELDING STORAGE BURGHAL WRECKING IENTER NO UNITS DEDUCTED HON-RESIDENTIAL 1 DOE FAME Y PANKING GARAGE MAJES MENT PER CREATERN PLACE OF ASSISSED. THE PART FAME. SHAVICE STATES REPAIR GARACE ALTERATION CHEMEN DIMEN MELENDER BURDING DI THERE NO FOUR FARET December 2, 1933 HEMPITAL BISTITUTIONAL NURSENG HOME Jeffrey P. McEvoy, Esquire FINE OR MORE FAMILY (PROTEIN NO LINES. WHECKING RENIEM NO UNITS DEDUCTED MERCINAL STORAGE BURDING 36 South Charles Street, Sixth Floor CONSTRUCT A TEMPORARY GATE HOUSE ON FAMERIC CARRIED Baltimore, Maryland 21201-3060 FRONT OF PROPERTY 4'-O X 6'-O-PERMIT SHALE STATEM REPAR GAMAGE EXPIRES 1 YEAR FROM DATE OF ISSUED. Commissioner Arnold Jablon THE METHOD SECTION SEC 84% W-NT PERMIT CANNOT BE EXTENDED. CORRECTION Baltimore County Office of CONSTRUCT A TEMPORARY GATE HOUSE ON RE: Existing Gatehouse NOTICE-F4030. FRONT OF PROPERTY 4'-O X 6'-O-PERMIT Planning and Zoning CONSTRUCTION PLANS WAIVED-C.E.B. 23-25 Walker Avenue \* [] SCHEKE COLLEGE OTHER FOLICATERIA EXPIRES 1 YEAR FROM DATE OF ISSUED. SHOWING PIXE IND HEALTH LEFT APPRINGS Towson, Maryland 21204 CONCIN 11 PROFESSIONAL SEAL AND DATAREHEETS AND THE TOWN OWNERSHIP 3rd Election District PERMIT CANNOT BE EXTENDED. CORRECTION Existing Hothanse BAY W UT 18 STERRE MERCANILE MESTALPANT Dear Mr. McEvoy: B. OWNERSHIP NOTICE-F4030. Re: 23 - 25 Walker Avenue PHIVATELY OWNED 2 PUBLICLY CWIED CONSTRUCTION PLANS WAIVED-C.E.B. M PROPOSED USEIS SAFIE AND GATEHOUS I have reviewed your letter dated December 2, 1983 and must inform you PROFESSIONAL SEAL AND DATA-EHEETS HAIVE - ---Dear Commissioner Jablon: \_ 00 ENSTAND USERS \_\_\_ OFFICE BUILDING AND WALL FENCE. that a variance will be required. This letter is in response to your request in our tele-PROVATELY CHINED 2 PUBLICLY CHINED I can appreciate the problem that confronts you and your client, but D. TYPE OF CONSTRUCTION phone conversation of Thursday, December 1, 1983. E. RESIDENTIAL ONLY be advised that the gatehouse is not an accessory structure inasmuch as an I STRUCTURE STEEL I Devaco sistem Devis Dimetrico SINGLE FAMILY UNITS accessory structure is not permitted in a B.L. Zone either as a matter of OTAL NO OF BEOMODUS My client, Michael Lasky, is the owner of a three floor 4 DRAF CONCRETE PRIVATE STSTEM | BASTS | DIRECTORD right or by special exception. In fact, any building, regardless of the num-IS THERE CENTRAL AIR CONDITIONING office building at 23 - 25 Walker Avenue. The building sits TYPE OF HEATING FUEL MULTI FAMILY UNITS ). TYPE OF CONSTRUCTION ber, is treated as a principal structure in a B.L. Zone and, therefore, must TYPE OF WATER SUPPLY 3 ELECTRICITY c∏res z∏wo E. RESIDENTIAL ONLY on a half acre of land which is paved with a 55 space parking A STRUCTURE STEEL meet all setback requirements. I have discussed the subject matter with To Menic states Denta Democrati FFICH NOV NO SEPARATE BEDROOMS: IS THERE AN INCINERATOR lot. There is a small gatehouse at the entrance of the parking SINGLE FAMILY UNITS MOND FRAME 4 SEMF CONCRETE James E. Dyer, Zoning Supervisor, and am in agreement with his interpreta-TYPE OF SEWAGE DISPOSAL 1 40 2 1 1ES MITH AR POLLUTION CONTACK PRIVATE SYSTEM | EARST . | PRESENTED lot on Walker Avenue. TYPE OF HEATING FUEL PHEK HAVE \* ALCHE URCYCMS tion and that of Joseph M. Nolan, Department of Permits and Licenses. YES WITHOUT ARE POLIUTION CONTROL S THERE CENTRAL AIR CONDITIONING NO OF ELEVATORS TO BE MISTALLED \_\_\_\_ PRIVATE SISTEM TENSIS TO PROPOSED THREE BEDROOMS OR MORE 3 ELECTRICITY NUMBER OF OFF STREET PARKING SPACES 4 🔲 CO4 TOTAL NO. OF BEORGOMS Zoning regulations currently require 39 parking spaces to SEEF WINES IN SEPARATE BEORICINES. S THERE AN INCINERATOR If I can be of any further assistance, please do not hesitate to con-TOTAL NO. OF APARTMENTS\_\_\_\_\_ TYPE OF SEWAGE DISPOSAL be provided on the property. The property site currently has WI 2 115 WITH AR HULLITE'S CONTROL ONE HICKORY OF ALL THE ACED OF A PLANE AS A TYPES WITHOUT ARE POLLUTION CONTROL
NO OF ELEVATORS TO BE RISTALLED. DIMENSIONS . 55 spaces, 12 of which are "overflow spaces" which require TA THOMSON PRIVATE SESTEM TENSIS PROPOSED vehicles to be parked two deep at the sides of the building. THREE ENGLANCE WITE CAN PRINCE NUMBER OF OFF STREET PRIMAYS SPACES TOTAL NO DE DEDROKAIS The tenants of the building, tenant employees, customers and PYRAMID CONT., INC. 8-5-81 TOTAL NO. OF APARTMENTS\_\_\_\_\_ visitors to the building use the lot in lieu of local street DIMENSIONS . parking and regularly fill the 55 spaces to capacity. Con-12100 TARRAGON ROAD, REISTERSTOWN, MD. sequently, the owner found it necessary to employ an attendant to move vehicles in and out of the overflow spaces. CONRAD B. LAMBERT, DAGENT ST PYRAMID CONT., INC. 8-5-81 ARNOLD JABLON In some cases, the off street parking was offered as an in-COMPANY OR OWNER Zoning Commissioner 12100 TARRAGON ROAD, REISTERSTOWN, MD. ducement to tenants to lease space in the building. As I AJ/srl am sure you understand, this was a significant inducement CONRAD B. LAMBERT, TO ACENT 521-2709 because parking is at a premium in central Pikesville. BLUCK SECTION LIBER TOUG OCCUPEE \$5 POLL TO Muspalular 1691 1. 1.4 4 MELNICOVE, KAUFMAN, WINER & SMOUSE, P. A. .MELNICOVE, KAUFMAN, WINER & SMOUSE, P. A. BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 MELNICOVE, KAUFMAN, VONER & SMOUSE, P. A. Commissioner Arnold Jablon December 2, 1983 Commissioner Arnold Jablon Page Two December 2, 1983 30 December 1983 Commissioner Arnold Jablon Page Three ARNOLD JABLON ZONING COMMISSIONER December 21, 1983 Page Two Jeffrey P. McEvoy, Esq. 35 S. Charles St. The gatehouse situated at the parking lot entrance is Sixth Floor used by the parking attendant to monitor traffic in and out For these reasons, I believe that the gatehouse is not Baltimore, Maryland 21201-3060 within the scope of the setback requirements and the owner of the lot and as shelter from the elements during bad weather. The central location of the attendant in the gateof the building should not be required to obtain an variance Third, it would be helpful if Supervisor Dyer and Re: 83-2812 Inspector Nolan could state their positions on this case. house also enhances security of the lot. for its continued existence. I would welcome the opportunity To the best of my knowledge, the only Zoning Department to sit down with you and discuss this matter and my clients Existing Gatehouse Weaker Ave. - 3rd Election District input thus far has been informal at the zoning desk. and I will be available to you at your convenience. The gatehouse was built under a temporary permit which Inspector Nolan's sole complaint has been that the strucis now expired. Joe Nolan, one of the County Building In-Dear Ir. McEvoy: ture was built without a permit. He has not taken a posispectors, has threatened to issue a violation notice on the Sincerely yours, I am in receipt of your letter dated 21 December 1983. I must first building because of the expired temporary permit. Although admit that the initial tone of my letter to you dated 12 Lecember is we have not attempted to file for a new permit, we have had indeed in error. Of course, you are correct that an accessory building is Fourth, I would like to know what regulations you are discussions with one of your zoning technicians who indicated permitted in a HL zone. Section 230.11; BCZR. However, my interpretation of the Toning Regulations as they relate to the requirements for setbacks relying upon to treat any building as a principal structure that he thought that it was in violation of the setback requ-JEFFREY P. MCEVOY lations and would require a variance in order to be in comof accessory buildings in a EL zone has been entirely consistent with pliance. As you can see from the drawing which I have at-JPM/lh long-standing policy of this office, policy which Mr. Dyer has enforced tached to this letter, the gatehouse would have to be moved I raise these matters because they may be contradic-Enclosure tory to positions which you took in your letter of December pursuant to interpretations of the Zoning Commissioner. nine feet to the rear of the property to meet the street center 12, 1983. To the extent we can agree upon certain issues line setback requirement. Making such a move would not only There is nowhere to be found in the Regulations requirements for setbacks or narrow and clarify those issues, I believe the hearing entail considerable expense for demolition and rebuilding of of accessory buildings in a m. zone. Section 230.1 allows as a matter of will be a more simple process. If you would like to discuss the gatehouse and relocation of utility lines, with all the right uses in a BL zone that are permitted in a residential zone adjoining any of these matters, please call me at my office. attendant architectual permit and administrative expenses, the EL zone. It is clear, and has been consistently interpreted to mean, but would also obstruct the use of at least four of the conthat a residential building certainly can be constructed on a lot zoned ventional parking spaces and six overflow parking spaces. EL adjacent to a residential zone, and that accessory buildings to that Sincerely yours, residential use are allowed, provided they satisfy the requirements of It seems to me that the gatehouse is not an accessory Section 400. If a lot zoned IL is used for commercial purposes, as structure which should be subjected to the setback rules. described in Section 230, even though adjoining a residential zone, the By its very definition, it needs to be on the perimeter of application of Section 400 would be most. It is patently clear that JEFFREY P. MCEVOY the property. Except for the fact that it provides temporary Section 400 deals with accessory buildings in residential zones, and it shelter for the parking attendant, it is no different then is equally clear that the intent of the Regulations, those which tie the a gate or some other entrance control device which would not Enclosure accessory building to a residential use and which require setbacks, would be construed as an accessory structure. It does not house prohibit diminution of the requirement to have setbacks for principal any of the property tenants nor is it used to store equipment cc: Mr. David Thaler - w/e buildings in a HL zone by permitting accessory buildings to be constructed or for any other purpose relating to the main office building David L. Snyder, Esquire - w/e enywhere on the property. See Section 232.1. Inasmuch as the Regulations on the property. Accessory structures, as defined in Section do not specifically denote setbacks for accessory buildings in a EL zone, 101, traditionally have within their scope such buildings as I have consistently demanded that such a building meet the same setback storage sheds, garages, outbuilding and other functional requirements that are demanded of principal buildings. structures. This gatehouse, on the other hand, is merely an extension of the brick wall which surrounds the entire parking if your argument is carried to its logical conclusion, an accessory lot, except that portion of the lot which is bounded by the building would be permitted only as a residential use, and permitted only building. in the rear yard and would not be allowed to occupy more than 40% thereof. Accessory buildings in a EL zone are allowed in the front but are treated as principal buildings for setback purposes. Of course, accessory buildings in a HL zone would be permitted anywhere on the property, provided that the setbacks as described for principal buildings

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zoning regulations. However, he has certain responsibilities as described and defined by the building Code of Baltimore County, and (WRITER'S DIRECT DIAL NO.) in this particular matter, I have agreed with his conclusion. 332-8543 BERNARD 5. MELNICOVE December 21, 1983 Commissioner Arnold Jablon Baltimore County Office of Planning and Zoning 111 West Chesapeake Avenue Towson, Maryland 21204 MICHAGL LASKY cc: James Dyer Re: Existing Gatehouse Walker Avenue 3rd Election District Zoning Docket No.: 1983/143 Dear Commissioner Jablon: Thank you for your letter of December 12, 1983. Although it appears the matter will now proceed to hearing, I felt that I should respond to certain points in your letter. First, it is not my client's present position that the gatehouse is an accessory structure. Rather, as I stated in my letter of December 2, 1983 to you, his position is that the gatehouse is not substantial enough to qualify as an accessory structure. cifies that accessory uses or structures are a permitted use in a BL zone. This would appear to be contrary to your letter of December 12. I have also enclosed a County Zoning Map with this letter, which illustrates that the BL-CCC zone which envelops the property is bounded on two sides by a DR2 zone. Under Baltimore County Zoning Regulation 230.1, any use permitted in an adjoining residential zone would be permitted in the BL zone. Accessory structures are permitted in the DR2 zone under Baltimore County Zoning Regulation 1B01.1.A.14. 84-221-1 CERTIFICATE OF PUBLICATION CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY TOWSON, MD., February 16, 19 84 PETITION PO VARIANCE
3rd Election District ZONING: Petition for Variance LOCATION: Southeast side Walker Avenue, 858 ft. Northeast of Reis-terstown Road (23-25 Walker Ava-nue) District 3 sol THIS IS TO CERTIFY, that the annexed advertisement was DATE & TIME: Monday, March 5, 1984 at 19:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W.
Chempeake Avenue, Towson, Maryland. published in THE JEFFERSONIAN, a weekly newspaper printed Petitioner: Michael Lasky,

Location of property: SE/S Walker Jave: 659' NE of Restoration Road and published in Towson, Baltimore County, Md., sneocinceach Location of Signs: SE/S of Walker are in front of #23 +25 ile bearing:
Patition for Variance to permit a front yard setback of 6 ft. instead of the required average setback of appearing on the 16th day of \_\_\_\_\_February\_\_\_ He ft.

Being the property of Michael Lasky, as shown on plat plan flied with the Zoning Department.

In the event that this Petition is tranted, a building permit may be insued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the insurance of said permit during this period for good cause shown, Such request must be received in writing by the data of the hearing set above of made at the hearing.

By Order Of ARNOLD JABLON,

Zoning Commissioner of Baitimore County

Feb. 16. THE JEFFERSONIAN, Number of Signa: Y NEWSPACES OF MARYLAND, INC. Road (23-25 Walker Avenue)

DATE & TIME: Monday, March 5, 1984 at 10:45 A.M.

PUBLIC HEARING: Room 106, County Cifice Building, 111 W. Chesapeak Jeffrey P. McEvoy, Esquire 36 South Charles Street Baltimore, Md. 21201 stminster, Md., Feb. 16 19 84 D. S. Theler & Associates, Inc. 11 Warren Road Baltimore, Md. 21208 Petition for Variance that the annexed ..... REQ..#..L59137..... The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to permit a front yard serback of 6 ft. instead of the .successive weeks/days previous

.... 19...84

nty Times, a daily newspaper published in Westminster, Carroll County, Maryland.

Herald, a weekly newspaper published

in Eldersburg, Carroll County, Maryland.

BY ORDER OF Times, a weekly newspaper published Reisterstown, Baltimore County, Maryland.

LANDWIANK CUIVINIUNITY NEWSPAPERS OF MARYLAND, INC.

Petition for Variance to permit a front yard setback of 8 ft. Instead of the required average setback of 44 ft.

Being the property of Michael Lasky, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF

Section 400 would not be applicable if the lot zoned RL is used for

Er. Molen, Assistant Building Engineer, is not an interpreter of the

those purposes delineated by Section 230.2-230.10.

JOSEPH S. KAUFMAN
ARNOLD M. WEINER
ROBERT E. CAHILL
FRANKLIN GOLDSTEIN
H. RUSSELL SMOUSE
LOUIS B. PRICE
M. ALBERT FIGINSKI
CHARLES M. TATELBAUM
ISAAC M. NEUBEPGER
DAVID I. SMYOER BALTIMORE, MARYLAND 21201-3050 TELEPHONE (101) 332-8500 TELECOPIER (30) 332-6594 TELEX 710-234-2414 Second, Baltimore County Zoning Regulation 230.11 spe- 16 1 1811

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

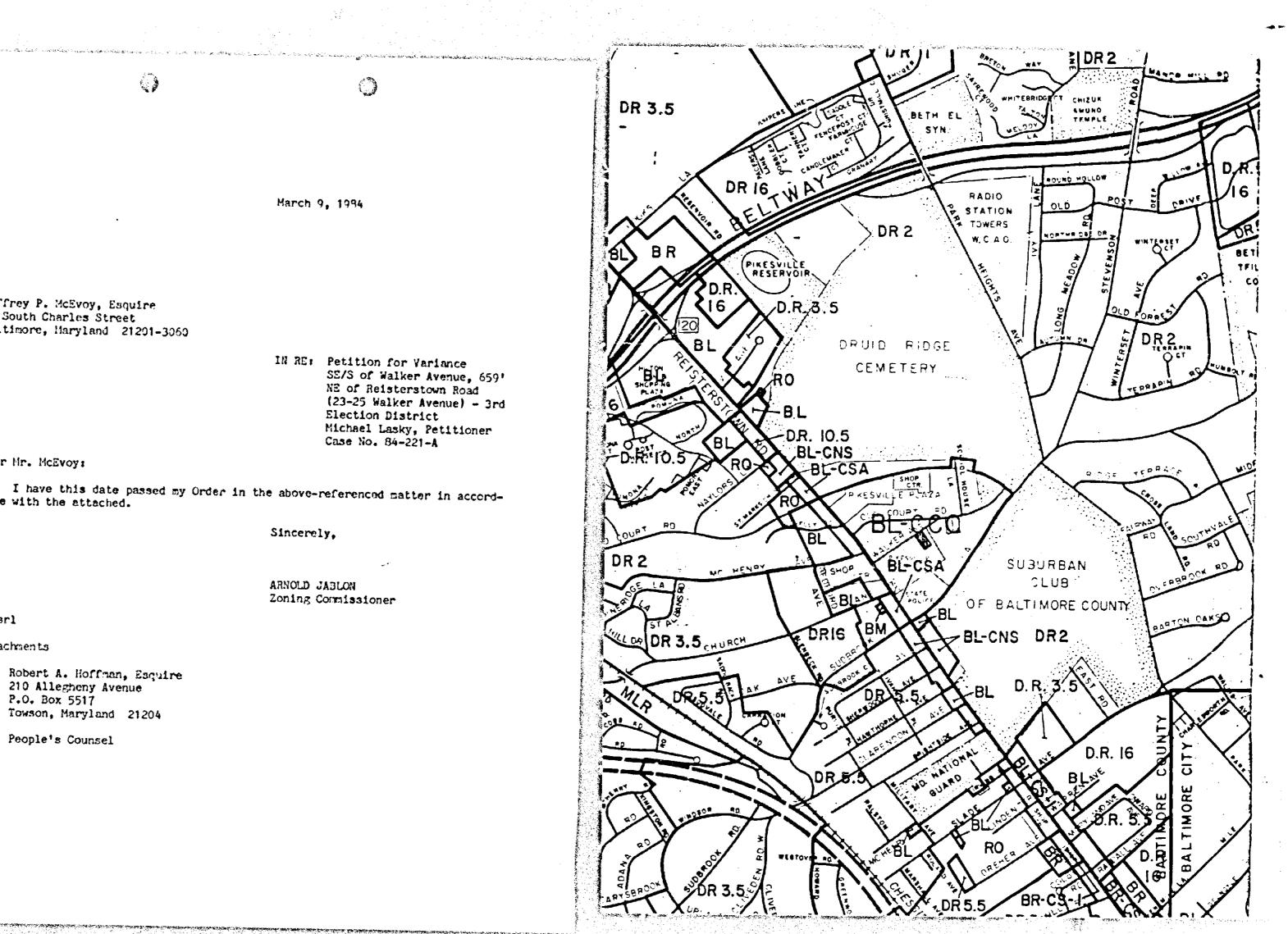
Your petition has been received and accepted for filing this 27th day of January, 1954.

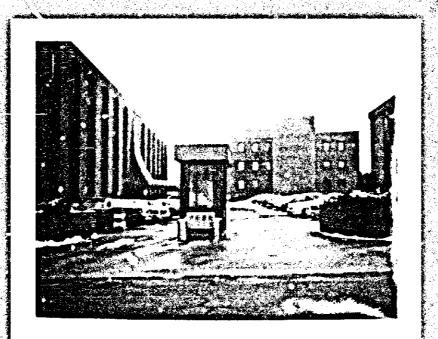
Petitioner Michael Lasky

Petitioner's
Attorney Jeffrey P. McEvoy, Esquire

Zoning Commissioner

Chairman, Zoning Plans





Jeffrey P. McEvoy, Esquire 36 South Charles Street

Dear Mr. McEvoy:

AJ/srl

Attachments

ance with the attached.

cc: Robert A. Hoffman, Esquire

210 Allegheny Avenue

Towson, Maryland 21204

P.O. Box 5517

People's Counsel

Baltimore, Haryland 21201-3060

IN RE: Petition for Variance

Election District

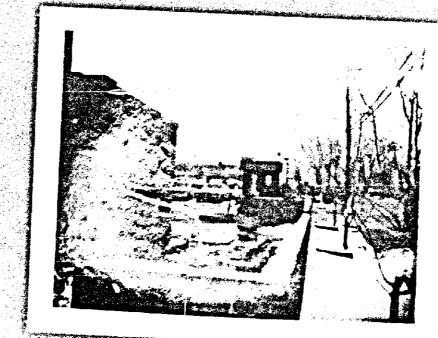
Case No. 84-221-A

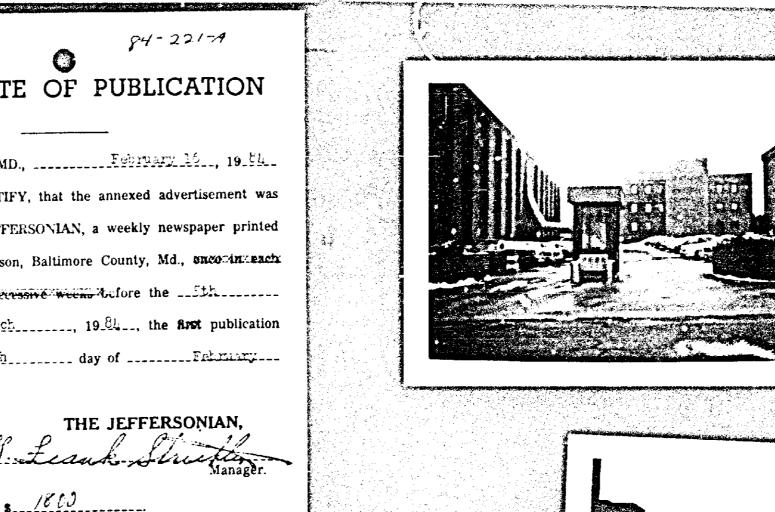
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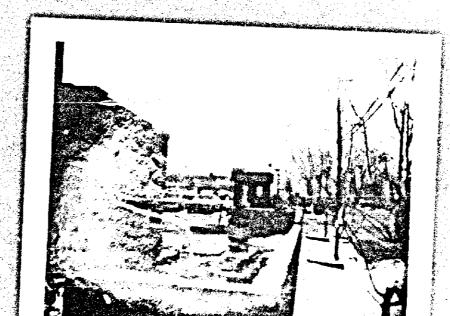
Zoning Commissioner

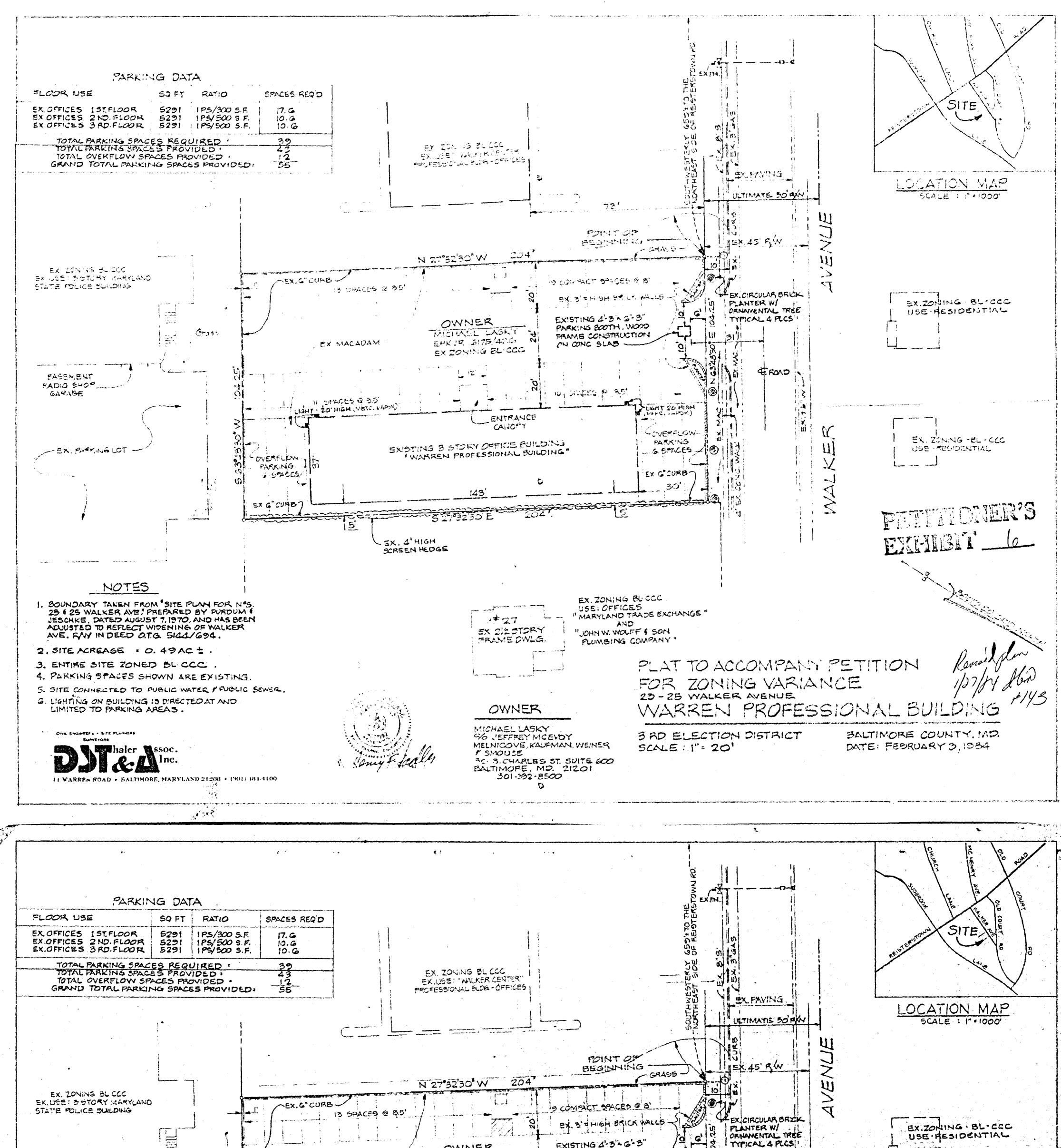
NE of Reisterstown Road

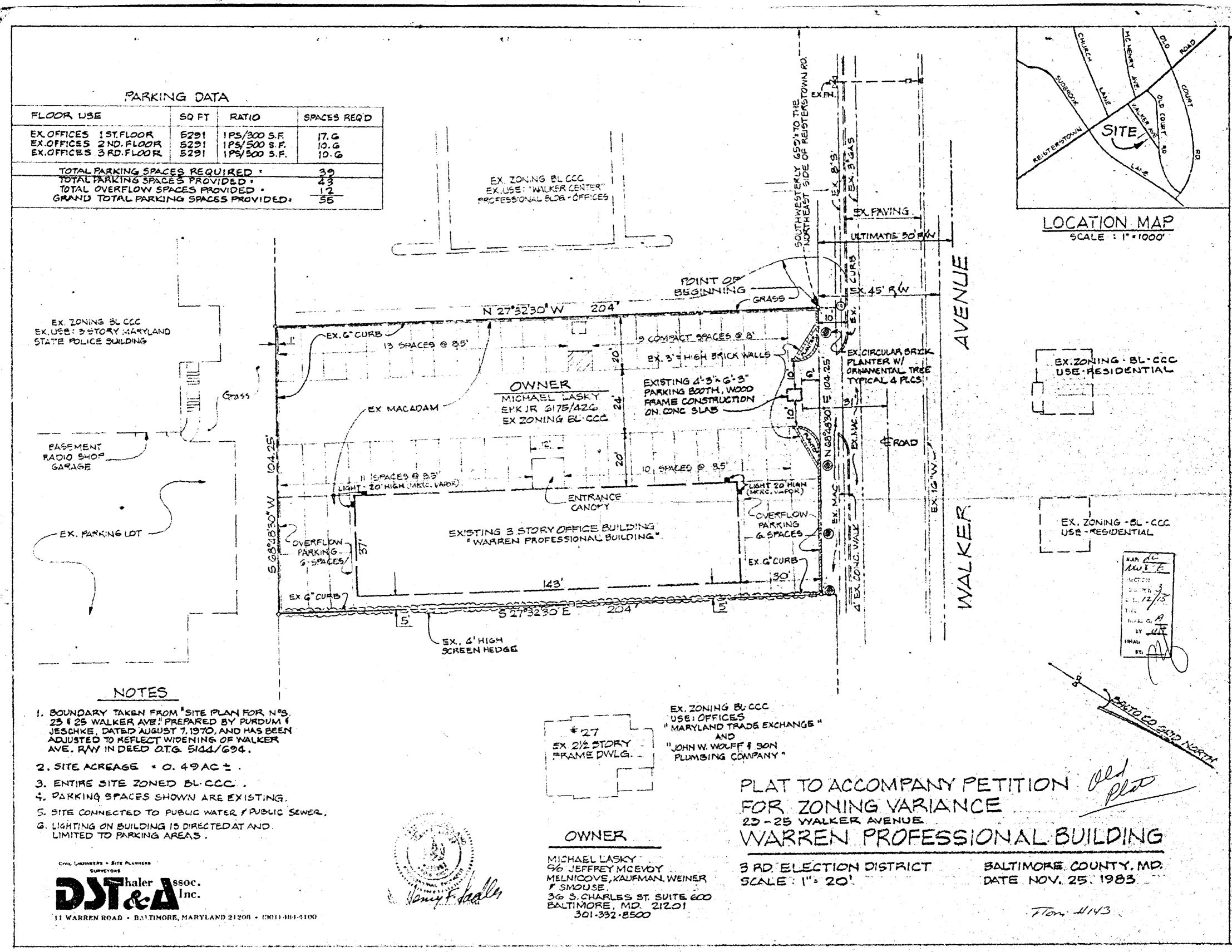
Michael Lasky, Petitioner











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IN THE MATTER

BEFORE

OF THE APPLICATION OF ROLAND R. MacKENZIE

FOR SPECIAL EXCEPTION

COUNTY BOARD OF APPEALS

FOR CAR WASH IN

COMBINATION WITH SERVICE

STATION: SPECIAL HEARING

FOR CONVERSION TO GAS & GO and VARIANCE FROM

Sec. 419.2 OF THE BALTIMORE

COUNTY ZONING REGULATIONS

NE CORNER YORK and

SCOTT ADAM ROADS 8th DISTRICT

OF

COUNTY BALTIMORE

No. 84-222-XSPHA

AMENDED ORDER

The Order of the County Board of Appeals of Baltimore County, dated September 6, 1984, in the above captioned matter, shall be and is hereby amended as follows:

> 1. The request of the Petitioners to erect a 9 ft. by 12 ft. storage office in the rear portion of the property as more fully described in site plan drawing #7363-52-001 by Lyon Associates, Inc., is hereby granted.

All conclusions and determinations as set forth in the Board's original Order except for the above are applicable in their entirety and continue to be controlling.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Date: January 18, 1985